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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,126	03/23/2004	Sayling Wen	3313-1141PUS1	2115

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EXAMINER

VY, HUNG T

ART UNIT	PAPER NUMBER
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2163

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/806,126

Applicant(s)

WEN ET AL.

Examiner

Hung T. Vy

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The specification has been checked to the extent necessary to determine the presence of possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 2 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basic of this rejection is set forth in a test of whether the invention is categorized as a process, machine, manufacture or composition of matter and if the invention produces useful, concrete and tangible result. Mere ideas (the abstract idea, law of nature, natural phenomena) are found to be non-statutory subject matter. For a method claim to pass muster, the recited process must produce a useful, concrete and tangible result.

In the present case, claim 2 recites the conversion method comprising the step of the application program's using a correct character set to read the newly generated data files are merely software per se. Since the conversion method of claim 2 is software per se and do not contain any physical components, the conversion method can not be categorized in one of the statutory categories of invention and is thus nonstatutory.

To expedite a complete examination of the instant application, the claims reject under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of applicant amending these claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6 are rejected under 35 U. S. C. § 102 (e) as being anticipated by Austin (U.S. Patent No. 6,643,691).

With respect to claim 1, Austin discloses a conversion method for multi-language multi-code databases to consistently process database documents in multiple language and code types, the method comprising the steps of: checking an original database and confirming its type (by selected what's kind of method to excess (410, 420, 430)); analyzing the fields and the code type of the original database file (414, 424, 472, 442, 446, 490, 474)(see fig. 5A); extracting data (data socket) according to the fields from the original database tile; and generating a new data file (460) for each of the fields

(444,452,456,458, 480) and storing the newly generated files using a local code (see fig. 1-2).

With respect to claim 2, Austin discloses the application program's using a correct character set to read the newly generate data file (see column 16, 30-37).

With respect to claim 3, Austin discloses the type file is determined from its database filename in the step of checking an original database file and confirming it type (see column 3, line 15-25).

With respect to claim 4, Austin discloses the step of analyzing the fields of the original database file is performed according to the data file type (see column 2, line 25-35).

With respect to claim 5, Austin discloses the step of analyzing the code type of the original database file is performed according to the data file type (see column 2, line 25-35).

With respect to claim 6, Austin discloses the correct character set is compatible with the local code of the newly generated data files (see column 10, line 42-55).

Claim Rejections - 35 U.S.C. § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Price (U.S. Patent No. 6,269,474) in view of the Monsester, III (U.S. Patent No. 6,721,745).

With respect to claim 1, Price discloses a conversion method for multi-language multi-code databases to consistently process database documents in multiple language and code types, the method comprising the steps of: checking an original database (101) and confirming its type (see fig. 2A); analyzing the fields and the code type of the original database file (1 in 101)(see fig. 2A); and generating a new data file for each of the fields (3 of 101) (see fig. 2A) and storing the newly generated files using a local code(see column 9, line 25-30 and fig. 24) but Price does not disclose extracting data according to the fields from the original database file. However, Monsester, III discloses extracting data (see fig. 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Price's system by adding extracting data according to the fields from the original database file in order to use in facilitating generating a new data file since such adding the extracting data for stated purpose has been well known in the art as evident by the teach of Monsester, III (see column 5, line 5-10).

With respect to claim 2, Price discloses the application program's using a correct character set to read the newly generate data file (code less system)(see fig. 24).

With respect to claim 3, Price discloses the type file is determined from its database filename in the step of checking an original database file and confirming it type (see column 2, line 21-32).

With respect to claim 4, Price discloses the step of analyzing the fields of the original database file is performed according to the data file type (see column 10, line 18-48).

With respect to claim 5, Price discloses the step of analyzing the code type of the original database file is performed according to the data file type (see column 10, line 18-48).

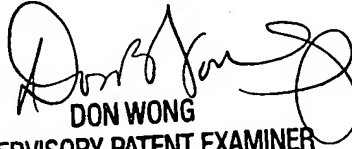
With respect to claim 6, Price discloses the correct character set is compatible with the local code of the newly generated data files (see abstract).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Vy whose telephone number is 571-2721954. The examiner can normally be reached on 8.30am - 5.30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571 272 1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


DON WONG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Hung T. Vy
Art Unit 2163

August 6, 2006.